

Docket No. F-8488

Ser. No. 10/517,895

REMARKS

Claims 3-21 are now pending in this application. Claims 1, 2, 14, 16, 18 and 19 are rejected. Claims 3-13, 15 and 17 are objected to. Claims 1 and 2 are cancelled herein. New claims 20 and 21 are added. Claims 3-6, 8-14, 16, and 19 are amended herein to broaden language as deemed appropriate and to address matters of form unrelated to substantive patentability issues.

CLAIM OBJECTIONS

The Examiner indicates claims 3-13, 15 and 17 contain allowable subject matter. The claims are presently objected to for their dependence on rejected base claims. Claims 3-6 and 10-12 are now amended to stand in independent claim form. Each of the claims includes all the subject matter of base and any intervening claims with the exception of claim 3. Claim 3 omits the recitation of "in a circumferential direction" which is considered unnecessary to patentably distinguishing the claims. Claim 20 is added and is dependent from claim 3 and recites "said non-rolling element opposes said rolling element at least in part in a radial direction of the rolling bearing apparatus" to provide a further limitation of the relative disposal of the elements of the claim.

Claims 7-9, 15 and 17 are dependent from various ones of claims 3-6 and 10-12. It is therefore submitted that claims 3-13, 15 and 17 now stand in allowable condition and notice to that effect is earnestly solicited.

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CLAIM REJECTIONS UNDER 35 U.S.C. § 102(b) and §103(a)

Claims 1, 2, 16 and 19 are rejected under 35 U.S.C. § 102(b) as being anticipated by the Watanabe reference. Claims 14 and 18 are rejected under 35 U.S.C. §103(a) as obvious over the Watanabe reference in view of the Boche reference. Claims 1 and 2 are now cancelled and claims 16 and 19 are respectively made dependent from claims 3 and 14, with claim 14 being dependent from claim 3. Claims 14 and 18 are dependent from claim 3. Claim 3 is now in independent form and is indicated to contain allowable subject matter. It is respectfully submitted that the references are thus rendered moot.

NEW CLAIMS

Claims 20 and 21 are added. Claim 20 is dependent from claim 3 indicated as containing allowable subject matter and is therefore submitted as patentable. Claim 21 recites "said rotor and said stator being disposed opposing one another in an annular space between said rolling element and said non-rolling element." It is not believed the applied art discloses such an arrangement. Therefore, allowance of claims 20 and 21 is respectfully requested.

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CLAIM FEES

Four further independent claims in excess of three are added. Accordingly, please charge the fee of \$800.00 to Deposit Account No. 10-1250.

REQUEST FOR EXTENSION OF TIME

Applicant respectfully requests a two month extension of time for responding to the Office Action. Please charge the fee of \$450.00 for the extension of time to Deposit Account No. 10-1250.

If there is any discrepancy between the fee(s) due and the fee payment authorized the USPTO is hereby authorized to charge any fee(s) or fee(s) deficiency or credit any excess payment to Deposit Account No. 10-1250.

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In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited.

Respectfully submitted,
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